

LEGISLATURE OF NEBRASKA  
NINETY-SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1336**

Introduced by Bohlke, 33; Raikes, 25; Suttle, 10; Wickersham, 49

Read first time January 19, 2000

Committee: Education

A BILL

1 FOR AN ACT relating to early childhood education; to amend sections  
2 79-808, 79-1101, and 79-1104, Reissue Revised Statutes of  
3 Nebraska, and section 79-1103, Revised Statutes  
4 Supplement, 1998; to change provisions relating to  
5 programs; to eliminate pilot projects, a program, and a  
6 committee; to harmonize provisions; and to repeal the  
7 original sections.

8 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 79-808, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   79-808.   (1) The board shall establish, adopt, and  
4 promulgate appropriate rules, regulations, and procedures governing  
5 the issuance, renewal, conversion, revival, cancellation,  
6 suspension, and revocation of certificates and permits to teach,  
7 counsel, supervise, and administer in all ~~elementary and secondary~~  
8 approved or accredited schools, prekindergarten through grade  
9 twelve, in this state based upon (a) earned college credit in  
10 humanities, social and natural sciences, mathematics, and practical  
11 arts, (b) earned college credit, or its equivalent in professional  
12 education, for particular teaching, counseling, supervisory, or  
13 administrative assignments, (c) scholarship attained in earning  
14 such credit, (d) training in human relations, which requirement  
15 shall apply to the issuance of first certificates or permits issued  
16 after January 1, 1990, and to the issuance of renewal certificates  
17 or permits issued after January 1, 1993, (e) successful teaching,  
18 and (f) moral, mental, and physical fitness for teaching, all in  
19 accordance with sound educational practices.

20                   (2)(a) The board shall establish or designate basic  
21 skills competency examinations for prospective teachers. The  
22 examinations shall measure competency in the written use of the  
23 English language, competency to read, comprehend, and interpret  
24 professional writing and other written materials, and competency to  
25 work with fundamental mathematical computations.

26                   (b) No candidate applying for an entry-level teacher or  
27 administrator certificate after July 31, 1989, shall receive a  
28 certificate unless such candidate has received a satisfactory score

1 on the basic skills competency examinations established or  
2 designated by the board, except that the board may issue a  
3 temporary certificate to any teacher or administrator who is first  
4 employed in a Nebraska school after April 1 of any year and who  
5 meets all other requirements but has not taken or received a  
6 satisfactory score on the examinations. The temporary certificate  
7 shall be valid only for the ensuing school year and may be renewed  
8 for one additional year. Each Nebraska teacher education  
9 institution approved by the board shall administer the basic skills  
10 competency examinations as a condition for entry into such  
11 institution's teacher or administrator program. The State  
12 Department of Education shall administer, at a time and place  
13 designated by the commissioner, the examinations for teachers and  
14 administrators being recommended for certification from outside of  
15 Nebraska and for prospective teachers and administrators who have  
16 not matriculated in or completed a teacher training program.

17 (c) The board may issue a temporary certificate, valid  
18 for a period not to exceed two years, to any applicant for  
19 certification who has not completed the human relations training  
20 requirement pursuant to subdivision (1)(d) of this section or the  
21 special education competencies requirement specified in section  
22 79-816. No applicant for certification shall receive any manner of  
23 temporary certification which exceeds two years in duration. The  
24 board may also issue such temporary certification, valid for not  
25 more than two years, pursuant to the Interstate Agreement on  
26 Qualification of Educational Personnel found in section 79-893.

27 (d) The board may issue substitute teaching certificates  
28 or permits in the absence of training in human relations required

1 pursuant to subdivision (1)(d) of this section, the basic skills  
2 competency examinations required pursuant to subdivision (2)(b) of  
3 this section, or the special education competencies requirement  
4 specified in section 79-816.

5 (3) Members of any advisory committee established by the  
6 board to assist the board in teacher certification matters shall be  
7 reimbursed for their actual and necessary expenses as provided in  
8 sections 81-1174 to 81-1177. Each school district which has an  
9 employee who serves as a member of such committee and which is  
10 required to hire a person to replace such member during the  
11 member's attendance at meetings or activities of the committee or  
12 any subcommittee thereof shall be reimbursed from the General Fund  
13 for the expense it incurs from hiring a replacement. School  
14 districts may excuse employees who serve on such advisory  
15 committees from certain duties which conflict with any advisory  
16 committee duties.

17 Sec. 2. Section 79-1101, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 79-1101. (1) The Legislature finds and declares that:  
20 (a) Early childhood and parent education programs can assist  
21 children in achieving their potential as citizens, workers, and  
22 human beings; (b) early childhood education has been proven to be a  
23 sound public investment of funds not only in assuring productive,  
24 taxpaying workers in the economy but also in avoidance of  
25 increasingly expensive social costs for those who drop out as  
26 productive members of society; (c) well-designed early childhood  
27 programs increase the likelihood that children who participate will  
28 enter school prepared to achieve high standards; (d) the key

1 ingredient in an effective early childhood education program is a  
2 strong family education component because the role of the parent is  
3 of critical importance; ~~(d)~~ (e) while all children can benefit from  
4 quality, developmentally appropriate early childhood education  
5 experiences, such experiences are especially important for at-risk  
6 infants and children; (f) effective early childhood education and  
7 child care requires staff with knowledge about child growth,  
8 development, and learning and family systems; and (g) ~~(e)~~ current  
9 early childhood education programs serve only a fraction of  
10 Nebraska's children and the quality of current programs varies  
11 widely.

12 (2) It is the intent of the Legislature and the public  
13 policy of this state to encourage ~~the provision of~~ partnerships of  
14 schools and community-based organizations to provide high-quality  
15 early childhood education programs for infants and young children  
16 and their families. The ~~purpose~~ purposes of sections 79-1101 to  
17 79-1103 ~~is to~~ are: (a) To provide state assistance for early  
18 childhood and parent education training and pilot projects and  
19 programs; (b) to encourage coordination between public and private  
20 service providers of early childhood education and child care; and  
21 (c) to provide state support for efforts to improve training  
22 opportunities for staff in such programs.

23 Sec. 3. Section 79-1103, Revised Statutes Supplement,  
24 1998, is amended to read:

25 79-1103. (1) ~~The~~ In order to assist partnerships of  
26 schools and community-based organizations in providing effective  
27 early childhood and parent education programs, the State Board  
28 Department of Education shall establish administer the Early

1 ~~Childhood and Parent Education Pilot Project~~ Program and assure the  
2 coordination of such early childhood and parent education programs  
3 with existing local, state, and federal funding sources, such as  
4 programs for children with disabilities below five years of age  
5 funded through the Special Education Act, the Early Intervention  
6 Act, the federal Head Start school readiness program, 42 U.S.C.  
7 9831 et seq., the federal Even Start Family Literacy Program, 20  
8 U.S.C. 6361 et seq., Title 1 of the federal Improving America's  
9 Schools Act of 1994, 20 U.S.C. 6301 et seq., and child care  
10 assistance provided through the Department of Health and Human  
11 Services. The State Department of Education, ~~with the assistance~~  
12 ~~of an Early Childhood Education Pilot Project Steering Committee~~  
13 ~~appointed by the State Board of Education,~~ shall establish  
14 guidelines and criteria for pilot projects application processes  
15 for the selection of early childhood and parent education programs  
16 for assistance. Based on such ~~criteria and guidelines processes,~~  
17 ~~the board shall~~ department shall annually request proposals from  
18 ~~local school districts and cooperatives of school districts and~~  
19 ~~select four proposals for early childhood education pilot projects~~  
20 partnerships of schools and community-based organizations and  
21 select one proposal for initial funding in FY2000-01 and three  
22 proposals for initial funding in each fiscal year thereafter. Such  
23 proposals shall be funded in addition to any projects receiving  
24 funding under this section as it existed immediately before the  
25 effective date of this act. Each ~~project program~~ selected ~~shall~~  
26 may be provided funds of up to one hundred thousand dollars  
27 one-half of the total budget of the program per year. Funds  
28 authorized under this section may be used to provide funding to

1 programs which conform to sections 79-1101 to 79-1103 and have  
2 previously been funded through the federal Even Start Family  
3 Literacy Program.

4           (2) Each ~~pilot project~~ proposal which is accepted by the  
5 ~~board department~~ shall include (a) a planning period, ~~of at least~~  
6 ~~six months,~~ (b) an agreement to participate in an evaluation of the  
7 ~~project program~~ to be specified by the department, (c) evidence  
8 that the ~~project program~~ will be coordinated or contracted with  
9 existing programs and funding sources, including ~~Head Start and~~  
10 ~~services for children with disabilities who are less than five~~  
11 ~~years of age as provided in the Special Education Act those listed~~  
12 in subsection (1) of this section, and (d) a plan to use a  
13 combination of funding sources, including those listed in  
14 subsection (1) of this section and sliding fee scales, to maximize  
15 the participation of diverse groups and to ensure that  
16 participating children and families have access to comprehensive  
17 services.

18           (3) Each ~~project program~~ shall also demonstrate the  
19 following elements of quality early childhood education programs,  
20 including: (a) A strong family education component recognizing the  
21 central role of parents in their children's development; (b)  
22 well-trained staff and optimum staff and child ratios; (c)  
23 developmentally and culturally appropriate curriculum, practices,  
24 and assessment; (d) sensitivity to the economic and logistical  
25 needs and circumstances of families in the provision of services;  
26 (e) integration of children of diverse social and economic  
27 characteristics; (f) a well-articulated early literacy emphasis,  
28 including the involvement of parents in family literacy activities;

1 (g) inclusion of children with disabilities as defined in the  
2 Special Education Act; (h) a sound evaluation component, including  
3 at least one objective measure of child performance and progress;  
4 (i) a plan for inviting the participation of staff from the private  
5 and nonprofit early childhood and child care programs in the  
6 service area of the program in professional development activities;  
7 and ~~(g)~~ (j) continuity with programs in kindergarten and elementary  
8 grades.

9           (4) Each program funded under sections 79-1101 to 79-1103  
10 shall operate under the oversight of a broadly constituted advisory  
11 body which shall serve to assure that the program: (a) Is  
12 available to all children in the service area; (b) considers the  
13 integration of public and private funding, including parent fees,  
14 to ensure continuous services; (c) creates partnerships among  
15 public and private institutions and service agencies; and (d) has a  
16 strong parent and family component that supports the parent's role  
17 as first and most important role model and teacher. The  
18 interagency planning team designated in the Early Intervention Act  
19 may serve this requirement. The advisory body shall include  
20 parents, representatives of local businesses and service  
21 organizations, providers of public and private home-based,  
22 center-based, and school-based early childhood, child care, and  
23 parent education programs, representatives of the federal Head  
24 Start and Even Start programs, Cooperative Extension Service  
25 educators, educational service unit personnel, persons  
26 knowledgeable about developmentally and culturally appropriate  
27 early childhood practices, and local health and social services  
28 providers.



1           (5) Programs shall be distributed among One pilot project  
2 shall be located in each of the three congressional districts.

3           (6) Programs may be funded on a continuous basis subject  
4 to available funds and compliance with rules and regulations  
5 adopted and promulgated by the State Board of Education.

6           (7) and one shall be located at large according to the  
7 decision of the department.

8           ~~(5) The pilot projects shall continue for three calendar~~  
9 ~~years, and by July 1, 1995, the department shall conduct an overall~~  
10 ~~evaluation of the success or failure of the pilot projects and~~  
11 ~~components thereof. A report evaluating the pilot projects~~  
12 ~~programs shall be made to the State Board of Education and the~~  
13 ~~Legislature by November 30, 1995 January 1 of each odd-numbered~~  
14 ~~year. Up to five percent of the total appropriation shall be~~  
15 ~~reserved for costs relating to evaluation and technical assistance~~  
16 ~~for the programs.~~

17           Sec. 4.     Section 79-1104, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19           79-1104. Any school board ~~or board of education~~ in its  
20 discretion may (1) establish and financially support programs  
21 providing before-and-after-school or preschool services, to which  
22 attendance shall be voluntary and which the board may deem  
23 beneficial to the education of prekindergarten or school-age  
24 children and (2) provide or financially support transportation for  
25 children to, from, or to and from programs as defined in section  
26 71-1910. The board may charge a fee, not to exceed the actual  
27 cost, for providing such programs and services but may waive such  
28 fee on the basis of need. This section does not allow any school

1 district to fail to meet its responsibilities under the Special  
2 Education Act. The programs described in this section shall also  
3 be subject to rules and regulations established by the State Board  
4 of Education which shall not be less rigorous with respect to  
5 adult-child ratios than those established by the Department of  
6 Health and Human Services under section 71-1911 and, for teachers  
7 in prekindergarten programs, shall require valid Nebraska  
8 certificates or permits as provided in sections 79-801 to 79-816.

9           Sec. 5. Original sections 79-808, 79-1101, and 79-1104,  
10 Reissue Revised Statutes of Nebraska, and section 79-1103, Revised  
11 Statutes Supplement, 1998, are repealed.